

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Dingfelder, Kruse, Roblan, Prozanski
Nays: 0
Exc.: Close
Prepared By: Bill Taylor, Counsel
Meeting Dates: 4/24

WHAT THE MEASURE DOES: Allows a parent or guardian of a minor to file a petition with a circuit court seeking appointment of a guardian for the minor that is effective when the minor becomes an adult. Allows a parent or guardian to file the petition at any time within 90 days of the minor becoming an adult or at any other time if the court finds it necessary in order to ensure ongoing protection, safety, and welfare of the soon-to-be adult. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Uncertainty for parents and guardians
- Ambiguity of law

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A parent or guardian of a minor child can make health care decisions for the minor child. When a minor becomes an adult, he or she gets to make these decisions. If an adult is unable to make these decisions, a court may appoint a guardian with the legal authority to do so. Some circuit court judges believe that a petition for guardianship cannot be filed until the minor becomes an adult. Going before a court and receiving appointment of guardianship may take several weeks. This means that the person for whom the guardianship is sought with medical needs may be at risk during the time it takes to get a guardian appointed.